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HEARING IN THE MATTER OF:

U.S. ARMY CORPS OF ENGINEERS
GALVESTON DISTRICT PUBLIC WORKSHOP
ARCHAEOLOGICAL SITE 41VT98
VICTORIA COLLEGE STUDENT CENTER
VICTORIA, TEXAS

DATE: FEBRUARY 26, 2002
7:02 P.M.

A P P E A R A N C E S:
OFFICIATING:

Colonel Leonard Waterworth,
Corps of Engineers, Galveston District
Ms. Carolyn Murphy, Chief, Environmental Section,
Galveston District

Mr. Rick Villagomez, Project Manager, Galveston
District

Mr. David Kelley, Program Director, Coastal
Environments, Inc.

Ms. Janelle Stokes, District Archaeologist,
Galveston District

PRESENTATIONS BY:

Dr. Robert Ricklis, Principal Investigator, Coastal
Environments, Inc.

Dr. Jim Bruseth, Deputy State Historic Preservation
officer, Texas Historical Commission

1 COLONEL WATERWORTH: Good evening,
2 ladies and gentlemen and welcome. Thank you for
3 coming this evening. I am Colonel Leonard D.
4 Waterworth, and I'm the commander of the Galveston
5 Engineer District, U.S. Army Corps of Engineers.

6 For the record, let me state that this
7 meeting is starting at 7:02 p.m., February 27th,
8 2002, at Victoria College Student Center in
9 Victoria, Texas.

10 UNIDENTIFIED SPEAKER: 26th.

11 UNIDENTIFIED SPEAKER: Today is the
12 26th.

13 COLONEL WATERWORTH: Thank you. 26th.
14 I'm here to listen to the public and make sure I
15 keep everything --

16 UNIDENTIFIED SPEAKER: I just thought
17 I would pass it on.

18 COLONEL WATERWORTH: Well, thank you
19 very much.

20 I'm extremely pleased that all of
21 you are able to join us tonight, and I want everyone
22 to understand that this is primarily an information
23 meeting. No decision will be made tonight. This is
24 my opportunity to hear from you on the issue of the
25 remains on VT98.

1 We're here to provide you information
2 on -- information on Galveston District's work at
3 the site of 41VT98 and provide the State Historic
4 Preservation Officer the opportunity to express his
5 views. But most importantly we're here to listen to
6 everyone that would like to make a comment tonight.

7 This is an opportunity for you to
8 express your ideas and suggestions and concerns
9 directly to the Corps of Engineers and directly to
10 me.

11 Introductions. I would like to
12 recognize Judge Helen Walker. Judge, thank you for
13 attending. Dr. Jimmy Goodson, President of Victoria
14 College. Sir. And as I understand, Mr. Don
15 Posey --is that pronounced right -- running for
16 Judge Walker's position. Sir, are you here?

17 MR. POSEY: Yes, sir, I am.

18 COLONEL WATERWORTH: Did I pronounce
19 that correctly?

20 MR. POSEY: You did, sir.

21 COLONEL WATERWORTH: Okay. Thank you
22 very much for being here tonight.

23 Additionally at the table I would like
24 to introduce those who are with me from the Corps of
25 Engineers. Mr. Rick Villagomez, Project Manager for

1 the Channel to Victoria Project. Ms. Carolyn
2 Murphy, Chief of Environmental Section to my right;
3 Ms. Jan Stokes, District Archaeologist; and from
4 Coastal Environments, Incorporated, Dr. David
5 Kelley, Program Director; and Dr. Robert Ricklis,
6 principal investigator.

7 Now, the format for tonight's meeting.
8 I have taken -- I'm going to change the format a
9 little bit because of the turnout that we have. I
10 want to provide everybody an opportunity to make
11 comments at this forum.

12 We have a microphone placed in the
13 back and anybody that would like to make a comment,
14 we have your card and we'll be calling you forward
15 to make those comments.

16 I would also like the opportunity to
17 answer some of the questions that you've posed on
18 the -- on the answer -- question cards that you sent
19 forward. So we have a time limitation of 9:30.

20 We would like to take your comments.
21 Then if that cuts off, we would like to answer as
22 many questions as possible.

23 If we can't get to all the questions,
24 we will post those answers on the Corps Galveston
25 Web site so that everybody will have the opportunity

1 to see those answers.

2 But what's most important is that I
3 have the opportunity to get your views on this
4 particular issue.

5 A couple of additional ground rules.
6 Each individual will be given around three minutes.
7 The idea here is to give as many people the
8 opportunity to speak. You may not defer your time
9 to others.

10 If you have additional comments that
11 you would like to submit beyond what you are able to
12 express during the time, please submit those in
13 writing.

14 You should understand that written
15 comments are just as valid as comments made in this
16 forum verbally. A comment form is available at the
17 registration table for your convenience and
18 submitting comments.

19 You may submit written comments this
20 evening by dropping them in the "comments" box at
21 the back of the room. One final ground rule.
22 Please be courteous. I'm here to listen. If you
23 make a point, it will be noted.

24 If you -- if you have the same point
25 to make, it's already recorded and we'll take it in

1 written format. The idea is to get as many new
2 ideas as possible to help me make a sound decision.

3 At this point, we will start the
4 formal presentations and I will ask Dr. Robert
5 Ricklis to come forward, the principal investigator
6 for Coastal Environments, Incorporated, who
7 conducted the excavation of VT98 under the contract
8 of the Corps.

9 Tonight he will present information on
10 his investigation. Sir.

11 DR. RICKLIS: Thank you, Colonel.
12 Well, this is a rather large and I would say
13 eclectic group we have here. How much time do I
14 have?

15 MS. MURPHY: However much time you
16 need.

17 DR. RICKLIS: Great. Well, let's get
18 right into this because what I would like to do is
19 show you visual images and basically talk to those
20 images.

21 Archaeology is very much a visual
22 discipline, and a picture in Archaeology is worth
23 2,000 words. So let's see what we can do here.

24 All right. This is the Buckeye Knoll
25 site with a strange horizontal bar running through

1 it. And the bar actually touches the top of the
2 central knoll of the site. And actually, however,
3 the entire -- the entire photograph you can see here
4 is -- is the central core of the site. The site is
5 actually quite sizable; but we're going to mainly
6 focus tonight on this area.

7 Oops. I guess I can't go back, is
8 that right, Jim, wherever you are? Thank you,
9 David.

10 Just another view of the -- of the
11 central knoll area. The name of the site comes from
12 the Scarlett -- Texas Scarlett Buckeye, which I'm
13 going to show you a picture of at the end of this.
14 It's the namesake of this site, and it's a very
15 beautiful red flower and it's in profusion here in
16 the springtime.

17 So, this is the main knoll and this is
18 the main focus of our -- of our work. However, it's
19 very important to note that -- that much -- a much
20 larger area of the site was investigated.

21 We began in November of 2000 and --
22 yeah -- of 2000 and we worked eight months through
23 July of 2001. These red slits here represent
24 backhoe trenches. These are excavated so that we
25 can see the sediments in the site, see the

1 geological formation of the site and also test for
2 areas of the site that might or might not contain
3 intact archaeological materials.

4 And, in fact, the area along the
5 canal -- this is the Victoria barge canal -- was
6 determined to have no significant materials.

7 Then additional testing over here
8 showed that much of the brown area, which is
9 cultural material, concentrated in what we call
10 midden in Archaeology, was probably buried under
11 this spoil, this -- this modern sand that had been
12 deposited many -- many decades -- probably three or
13 four decades ago as a spoil associated with the
14 dredging of the barge canal.

15 This is our backhoe work being
16 conducted along the edge of the canal. It looks out
17 of focus from here; is it? Well, you can see the
18 backhoe trench, backhoe piles. You can see the
19 canal and this is the backhoe operating here.

20 Okay. I don't want to zap anybody
21 with X-rays here. Okay. The first area I want to
22 show you is what I call the Knoll Top. And I
23 think -- I'm going to just try to move this, if you
24 don't mind, so that I can facilitate this process a
25 little bit hopefully. Now I'm in the way of the

1 slide. All right. We'll try it this way. All
2 right.

3 There are three main areas that we
4 investigated in addition to the banks along the
5 canal where, as I say, this is very critical because
6 the Corps is going to be dredging here, and it was
7 very important to know if there would be significant
8 materials here that would be affected by that
9 dredging. This was determined not to be the case.

10 Then we have the Knoll Top area here,
11 the West Slope area over here and the East Midden --
12 so-called East Midden units over here.

13 The Guadalupe River's floodplain is
14 the low ground to the west. Well, cross that one
15 but it's just the same -- sorry. We don't need it.
16 It's the same excavation on the Knoll Top looking
17 from the opposite direction.

18 This gives you an idea of the kind of
19 work we were doing. These are 2-by-2-meter square
20 units. Okay. Let's try it, David.

21 Now, on the Knoll Top we have a
22 stratigraphy for the layering of the soil sediments
23 in several zones. These are very critical for
24 understanding the history of the site.

25 Zone 1 is a dark brown silt. Zone 1A

1 is a slightly lighter-colored silt.

2 Zone 2 is a black midden or
3 concentrated debris in a silty sediment.

4 And Zone 3 is -- Zone 3A and 3B is the
5 lowest zone and all of this rests on very ancient
6 prehuman occupation Pleistocene clay. And you can
7 see that the configuration of the zone is somewhat
8 different at different points in the excavation.

9 These ovals that you see here
10 represent individual Prehistoric graves. This is a
11 very dense cemetery that is associated with Zone 3.
12 And -- there we go. Thank you. These are Scallorn
13 arrow points.

14 Now, the Zone 2 deposit is about this
15 thick -- a little under a meter thick and that meter
16 represents approximately 4,000 years of intermittent
17 Prehistoric occupation.

18 At the top we have Late Prehistoric
19 Scallorn arrow points in some abundance. This is
20 just a selection from the sample we have. These
21 date roughly a thousand years old, give or take a
22 couple hundred years. These are associated with
23 fragments of Native American ceramics.

24 And then a little bit further down in
25 Zone 2 we have Late Archaic dart points, Ensor

1 points, Godley points. And then still farther down
2 towards the bottom of Zone 2 we have still earlier
3 Archaic dart points that would date roughly 2500 to
4 4,000 years ago. Some Morhiss points, Lange points,
5 and Morrill points. This is, again, just a
6 representative selection.

7 Okay. Now, Zone 3 is much older.
8 Zone 3 has Paleo-Indian material. This material, as
9 you can see up here, is roughly ten to 11,000 years
10 old. These are typical lanceolate dart points.
11 This is an early stemmed dart point.

12 These indicate that this zone -- now,
13 we don't have radiocarbon dates on any of this at
14 this time, but it indicates that this zone
15 represents campsite occupation. We're not talking
16 mortuary here. We're talking domestic debris from
17 the Paleo-Indian period.

18 Now, we come to the cemetery, which
19 I'm sure many of you have heard something about, and
20 this is a -- well, in a nutshell, this is what makes
21 the Buckeye Knoll Site so unique. All right.

22 This is the Knoll Top, and here is a
23 one-foot contour map. And you can see I have
24 estimated the extent of the cemetery and these are
25 our excavation units.

1 The brown units are 2-by-2-meter
2 squares that did not contain any burials. The
3 hatched areas are excavation units that did
4 contain burials.

5 Now, when we put these two factors --
6 we put these -- if we juxtapose these and also look
7 at the topography, we can estimate that this is the
8 approximate extent of this Prehistoric cemetery,
9 roughly 22 or 23 by about 15 meters in extent, not a
10 large area.

11 At the same time, I need to point
12 out -- this is critical -- that we only excavated
13 about 30 percent of this. Our goal is certainly not
14 to go out and remove all of these burials. Our goal
15 was to find out what the nature of the site was.
16 This was what the Corps of Engineers primarily
17 wanted to know.

18 And -- so, we have this approximate
19 area of the cemetery, and these represent 25 to 30
20 percent. The rest will remain intact and preserved.

21 Again, the stratigraphy. For the
22 archaeologists in the audience -- and archaeologists
23 are always or should be skeptical of what's said
24 about an archaeological site -- Zone 3 is very much
25 of a sealed deposit. There's a geological

1 unconformity between Zone 3 and Zone 2. Zone 3 is
2 probably ten or 11,000 years old. The bottom of
3 Zone 2 is probably roughly four to 5,000 years ago.
4 So, there are several thousand years in between.

5 I'm going to show you a schematic
6 diagram in a minute that will hopefully explain
7 that. But the key point is that we can say with
8 considerable confidence that all of the burials in
9 Zone 3 are of a comparable age and much older than
10 Zone 2.

11 This is the map of the cemetery in the
12 areas that we excavated. It is a schematic, as you
13 can see. And the blue represents Early Archaic
14 burials. We have at least 69 Early Archaic burials
15 represented here. The red or orange are Late
16 Archaic burials. These are in Zone 2. They're
17 either in Zone 2 or they are in pits that clearly
18 originated in Zone 2 and then were dug downward into
19 Zone 3.

20 And then the yellow is the inevitable
21 toss-up. Nothing is ever, you know, cut and dried
22 in Archaeology, and this certainly is a case in
23 point.

24 This is a cluster of bundle burials
25 that may be either Late Archaic or Early Archaic.

1 They were found right at the interface of the two
2 zones.

3 It's also possible that they fall
4 somewhere in between in time, perhaps in the Middle
5 Archaic period. But you can see from this that
6 we're clearly dealing with a true cemetery. There's
7 no way this is a sort of fortuitous accumulation of
8 remains. They are simply too abundant and too
9 densely located to -- to possibly have been that.

10 It's clearly a designated ancient
11 Prehistoric cemetery designated by the culture of
12 the people who were very productive.

13 Now, there is a wealth of -- if I may
14 use that word -- I should perhaps say a great array
15 and variety of mortuary artifacts associated with
16 the Early Archaic cemetery. These include
17 lanceolate dart points of forms similar to
18 Angostura. And for the archaeologists in the
19 audience, it's a form that is very similar to very
20 late Paleo-Indian types that are known around Texas
21 and elsewhere.

22 We have large bifacial mortuary or
23 ceremonial blades. One example is quite large. In
24 fact, it's about a foot long. These are very unique
25 artifacts. We have pre-forms which are unfinished

1 projectile points and chert blades and raw material.
2 Presumably these are interred with individuals for
3 some sort of afterlife.

4 Now, we have quartzite and limestone,
5 what we're calling, tentatively, sinkers. It's hard
6 to describe these things but they're oblong, very
7 beautifully-fashioned and polished pieces of stone
8 which have shallow grooves that go all the way
9 around the periphery. And we don't know what they
10 were used for. They have been called Waco sinkers.
11 I don't think they necessarily were using sinkers.
12 We don't know what their function was. They might
13 have been a weapon of some sort. We don't know at
14 this point.

15 And then we have antler billets or
16 flaking tools, bone flaking tools, sandstone
17 abraders, bannerstones which are very distinctive
18 artifacts. They basically look like wings made out
19 of stone with a hole drilled down the middle for
20 attachment, probably to a spear-throwing stick as a
21 weight.

22 And we have plummets which are
23 pear-shaped stones with a hole drilled in the narrow
24 end. Again, the function is not well understood.
25 They might have been sinkers of some sort. They

1 might have been a weapon or a stone type thing that
2 you would attach to a string and spin around and
3 hurl at game or whatever.

4 We have lots of marginella shell
5 beads, a thousand or so beads, and netrite shell
6 beads. These are marine shells. So, clearly, these
7 early people were using the coast. Freshwater
8 mussel shell pendants, sunray venus clam shell
9 pendants, again, a marine shell. Perforated canid
10 teeth, fox or dog probably, for beads. Red and
11 yellow and ochre paint and basketry impressed
12 asphaltum. Asphaltum, of course, is beach tar
13 which, if you've ever been to Padre Island, you've
14 probably stepped in it. It's that gucky black
15 stuff. Well, it was used for a number of purposes
16 by Prehistoric people in Texas, one of which
17 apparently was to line baskets.

18 So, this is a wealth of material as a
19 cultural assemblage that is unique. We've never
20 seen anything like this in Texas or elsewhere. And
21 it apparently all fits together.

22 And I will see if I can show you why I
23 say that. This shows you the distribution of the
24 mortuary objects. And we have the purple
25 representing the quartzite sinkers. The round ovals

1 represent the limestone sinkers. The -- what are
2 little black points here are lanceolate
3 Angostura-like points. These are not classic
4 Angostura points, but they're similar in shape and
5 size. Dart points. We have the shell pendants,
6 bannerstones which occurred in pairs, plummets which
7 occurred in pairs.

8 And, of course, these are all
9 associated with discrete graves. I mean, if we were
10 to overlay this on the earlier map I showed, we
11 would see that individual burials were going to be
12 associated with these -- these objects.

13 In any case, the point being that you
14 have, for instance, here shell beads with a
15 lanceolate point. Here you have lanceolate point
16 with a tool kit called flaking tools. Here you have
17 lanceolate points with another tool kit.

18 Here you have a lanceolate point with
19 sinkers and so on. It all hangs together as an
20 interwoven assemblage representing a distinctive
21 archaeological culture.

22 This is the schematic I promised you
23 showing you how at present I interpret the formation
24 of this site.

25 Now, we do have geoarchaeological

1 specialists working on this. The Corps of Engineers
2 has -- has sponsored their involvement. And they
3 are analyzing the sediments for non-cultural
4 materials. These are geological sediments. And
5 they are going to tell us a good deal about the
6 validity or not of the scenario that I'm going to
7 give you here.

8 But in general, this is probably
9 valid, which is: Zone 3 is -- is a fine sand and
10 silt that accumulates on an earlier Pleistocene clay
11 knoll ten or 11,000 years ago. And as that's
12 accumulating, we have those Paleo-Indian artifacts
13 being deposited by people living at the site.

14 Then about 7,000 years ago we have the
15 interrment of the Early Archaic graves and then
16 sometime between 7,000 -- well, really between 6,000
17 and about four to 5,000 years ago, the top of Zone 3
18 is stripped down by sheet erosion.

19 Now, we know from previous research
20 that this is a very arid period in the Texas
21 climate. And when you get aridity, if you've lived
22 in South Texas in the countryside, you know that you
23 get a reduction in vegetation, a reduction in
24 grasses and an expansion of things like the prickly
25 pear cactus, and the net result is you can get a lot

1 of erosion of soil under those conditions. So, this
2 is what we believe happened here.

3 And then after about four to 5,000
4 years ago, the Zone 2 campsite debris begins to
5 accumulate. So, it's clear that the people that
6 left Zone 2 were not the same people that left this,
7 left these human remains.

8 It's also clear that because the
9 surface was probably eroded away, if this was used
10 as a campsite by the people at the cemetery there,
11 we don't have any evidence left of it.

12 And then, finally, Zone 1
13 accumulates -- roughly a thousand years ago it
14 begins to accumulate and accumulates fairly rapidly
15 over the last thousand or so years. There's not
16 really anything cultural associated with Zone 1
17 aside from some rusted nails.

18 Now, this is a complex find. It's
19 very difficult to summarize this briefly; but what
20 I'll try to do is put the key points down as -- as
21 we see them right now.

22 This is one of the three largest Early
23 Archaic cemeteries in North America. There is a
24 site in Illinois and a site in Florida that are
25 comparable or somewhat larger in size; but this

1 stands as one of the three largest Early Archaic
2 cemeteries known

3 This cemetery predates other major
4 cemeteries known in Texas by at least 3,000 years.
5 It represents a sample of -- the human remains we
6 have in this site represent over between eight and
7 nine percent of all of the human remains that have
8 been currently documented in the entire world of
9 this age or older.

10 Now, the cemetery, by its very
11 existence, suggests a relatively large, fairly dense
12 and somewhat settled population. We wouldn't expect
13 to see sizable dense cemeteries in a very highly
14 nomadic situation where you have just small groups
15 roaming around large territories.

16 This is contrary to what our
17 expectations would have been. To have a fairly
18 large and settled population 7,000 years ago in
19 South Texas was not expected.

20 The range and quality of the mortuary
21 artifacts reflect a high level of aesthetics and
22 technical development, much more so than I -- I
23 would have expected and I think that most
24 archaeologists would have expected.

25 The materials and some of the

1 artifacts forms suggest wide-ranging connections
2 between the Buckeye Knoll people and other regions.
3 We have flint that came from Central Texas. We have
4 bannerstones, for instances, which are typically an
5 Eastern Woodlands artifact. They're not typical of
6 South Texas.

7 So, we have this evidence for
8 extensive trade works -- networks at this early
9 period. Everything combines to suggest a rather
10 developed, rather complex and a very, I would say,
11 well-organized cultural system.

12 The lanceolate dart points suggest
13 continuity in style from the Late Paleo-Indian
14 period. And, finally, the whole assemblage
15 represents a previously unknown early culture.

16 I'm going to move on quickly to the
17 West Slope and I'm going to try to move along here
18 because time is ticking away here. Just say that
19 that's here. And we have a deep excavation in this
20 area representing about 6,000 years of occupation.

21 Here is a fire pit or a hearth with
22 burned clay. You can see all the cultural debris
23 scattered through the various levels. That's
24 another shot of a unit floor with shell, deer bone
25 and scattered artifacts.

1 The stratigraphy is in four zones, the
2 bottom of which predates occupation. The bottom
3 zone we've already geologically dated to 40,000
4 years ago.

5 This zone here [Zone 3] is about five,
6 6,000 years, and this is three to 4,000 and this is
7 just after that.

8 And we have an abundance of cultural
9 material. Zone 1, dart points, Late Archaic; Zone
10 2, dart points, Morhiss, Bulverde; Pedernales,
11 roughly a 3,000 to 4,000 or 4500-year-old range.

12 And then below that in Zone 3 we have
13 a very nice assemblage of Early triangular points.
14 These are generally believed to be five to 6,000
15 years old and our geologists have told us that their
16 optically stimulated luminescence dates on the
17 quartz sand put this zone at 4500 years to 6,000
18 years old, which fits very nicely with our
19 expectations.

20 These elongated unstemmed, unnotched
21 points we call Refugio points. We have some of
22 these in Zone 3 which would suggest that they're
23 roughly 5,000 years old.

24 This is going to be the first time I
25 think that we're able to date this common South

1 Texas point type. All right.

2 Just very briefly, we're in the East
3 Midden. Nothing terribly exciting here. You've
4 seen the good stuff.

5 Archaic and Late Prehistoric deposits
6 in the top, a rather thick zone, and then a black
7 zone fine sand and silt resting on the Pleistocene
8 clay, and this black zone contained Paleo-Indian
9 materials from 11,000 B.P. roughly. This is a nice
10 example of a Dalton adze, which is an artifact that
11 we find in Texas but it is much more
12 common in Arkansas and Louisiana and farther east.

13 And then various other, quickly,
14 artifact classes that represent various activities
15 on the site. These are not time diagnostic but
16 they're function-specific. We have knives,
17 scrapers -- rather, gouges. These are clear fork
18 tools. These are probably woodworking tools and
19 various forms of scrapers.

20 Very good bone preservation. We have
21 bone needles and awls for perforating hides, various
22 other bone tools and ornaments. And, surprisingly,
23 some early pottery. This pottery is similar to
24 Tchefuncte material from the upper Texas Coast and
25 Louisiana. We never knew that it came this far

1 down, but this is similar to that material. And we
2 don't yet have any radiocarbon dates for these
3 strata but -- these levels, but judging by the dart
4 points that are found in proximate association,
5 we're probably looking at 2000 or so years ago.
6 This is about a thousand years earlier than we
7 thought the native people of this region had
8 ceramics. Okay.

9 So, to sum up the major research
10 topics at the Buckeye Knoll Site, are regional
11 cultural and history, human ecology and environment
12 and, of course, the Early Archaic cemetery and its
13 unique bioarchaeological potential.

14 The culture history seems to have
15 gotten lost in the shuffle here; but I think, David,
16 if you could go back to just -- yes.

17 I think you've pretty much seen all
18 this. We don't yet have complete stratigraphic
19 records for the South Texas region. And here we
20 have remarkably complete representation of time
21 periods from Paleo-Indian through the various
22 Archaic stages into what we call the Late
23 Prehistoric period.

24 We've got intact identifiable
25 components representing these periods which is very

1 important because we can associate things like
2 animal bones and shells and possibly plant remains
3 with specific time periods to see how adaptation may
4 have changed. And we have a unique opportunity to
5 study long-term cultural changes in South Texas.

6 Now, the environmental history has to
7 do with things like pollen which we have good
8 preservation, so we can reconstruct environmental
9 history, vegetation and so on.

10 We have excellent fauna and shell
11 preservation for looking at dietary patterns. And
12 we have samples for flotation, possibly to recover
13 charred -- charred -- the flowers are trying to take
14 over here. Go back one to the charred plant
15 remains, things like pecans, nut shells, seeds and
16 so on.

17 And then the bioarchaeology. This is
18 a unique site and it has the potential for looking
19 at social patterns in terms of what kinds of
20 artifacts are associated with males, females,
21 adults, adolescents, juvenile individuals, and it
22 has potential for the study of status in terms of
23 quantities, qualities of items that are placed with
24 individuals of different age, male, female.

25 And it has an excellent possibility

1 for looking at major issues like biological
2 affinity. How were these early people related to,
3 say, people in other areas of North America? What
4 this might tell us about migration routes into Texas
5 in early times? How are they related to earlier
6 people? This is a possibility that we might be able
7 to eventually see this.

8 And, finally, we have the study of
9 health, stress and diet among this early population
10 through various ways of looking at bone and studying
11 it.

12 And I think that the only thing I need
13 to add here, which I think maybe I didn't say, which
14 is actually critical, is that when I say Early
15 Archaic, I'm basing this on four radiocarbon dates,
16 accelerator mass spectrometry on human bone collagen
17 that placed the early cemetery between 6,300 and
18 7,500 years ago.

19 And there's some reason and evidence
20 that shows that human bone collagen dates tend to be
21 a little bit too recent; so, actually, those should
22 probably be taken as a minimum age.

23 The cemetery may actually be somewhat
24 older than that by several hundred, perhaps a
25 thousand, or 2,000 years.

1 That is essentially in a nutshell what
2 the Buckeye Knoll site is about archaeologically.
3 And I was going to close with that and it went away.
4 That's a Buckeye. Thank you very much.

5 MS. MURPHY: Hi. I'm Carolyn Murphy
6 with the Corps, and I'm going to address the Corps'
7 coordination of this project. But I would like to
8 remind you that if you do wish to speak, to make a
9 comment tonight, that you need to fill out one of
10 these blue cards -- I know we have more in the
11 back -- and give it to us -- and we'll be glad to
12 include you as a speaker.

13 The Channel to Victoria, or Victoria
14 Barge Canal, is a federal construction project
15 constructed by the Galveston District Corps of
16 Engineers. The Corps is currently widening and
17 deepening the Channel to Victoria from nine feet by
18 a hundred feet to 12 feet by 125 feet.

19 Construction of the channel
20 improvements began in late 1996 and will conclude
21 this year.

22 A series of archaeological surveys and
23 site investigations were conducted by the Corps in
24 conjunction with this construction, including the
25 work at VT98.

1 Testing of VT98 was initiated by the
2 Corps in November 2000 to address the area of
3 potential direct and indirect construction impacts
4 of channel widening and to obtain sufficient
5 information on the site to develop a mitigation plan
6 in the event that construction impacts could not be
7 avoided.

8 All work was conducted by Coastal
9 Environments under contract to the Corps. Site
10 testing has confirmed that VT98 is a significant
11 multi-component Prehistoric site containing cultural
12 deposits dating to the Paleo-Indian through Late
13 Prehistoric Period.

14 As a result of this testing, it was
15 determined that the area of direct construction
16 impacts along the west bank of the channel does not
17 contain any in-situ archaeological deposits.

18 Original channel construction in 1965
19 impacted the site to such an extent that no intact
20 archaeological deposits remained immediately
21 adjacent to the existing channel.

22 Test excavation of this eastern-most
23 portion of VT98, which is on the west bank of the
24 channel, included 12 backhoe trenches, excavation of
25 three 2 meter by 2 meter units, 12 shovel tests and

1 a magnetometer survey to identify subsurface
2 features.

3 The Texas SHPO concurs that no
4 additional site testing or data recovery is
5 necessary for this disturbed portion of the VT98.

6 Testing of the remainder of the site
7 identified the extensive mortuary complex that is
8 the subject of current interest. No previous site
9 testing had identified burials at VT98.

10 When it became apparent that extensive
11 human remains were present and that both direct and
12 indirect construction impacts to the mortuary
13 portion of the site could be avoided, the decision
14 was made by the Corps to cease excavation at the end
15 of March 2001. A coordination meeting with the SHPO
16 was held on May 8, 2001.

17 At that time, approximately five to
18 six burials had been excavated and approximately 25
19 burials were exposed. The Corps recommended that no
20 further excavation be conducted and that no
21 additional burials be removed.

22 Despite the fact that this portion of
23 the site would not be impacted by construction, the
24 SHPO demanded that all open units be completely
25 excavated and all exposed burials be excavated and

1 removed.

2 This resulted in the excavation of
3 approximately 70 additional burials. The SHPO
4 concurred that no new excavation units would be
5 opened. This modified work was completed by Coastal
6 in July.

7 At the conclusion of excavation, the
8 open units were carefully backfilled and the site
9 was fenced by DuPont. On June 18, 2001, a meeting
10 was held with the SHPO and DuPont to address how the
11 site collection would be handled.

12 As steward of the site, DuPont
13 expressed concern over disposition of the human
14 remains and requested coordination with Native
15 Americans in this regard.

16 The SHPO endorsed this request and
17 requested the Corps initiate Native American
18 consultation. Native American consultation was not
19 initiated by the Corps for VT98 prior to this point
20 because previous NAGPRA coordination of Galveston
21 District federally-owned collections had failed to
22 identify tribes willing to consult on either our
23 collections or our projects.

24 Native American consultation under
25 36CFR800 was initiated for VT98 in July 2001 with

1 federally-recognized tribes based on geographical
2 proximity of historic tribal range to the Texas
3 coast, known historic presence or incursion along
4 the Texas coast or at the request of the tribe.

5 The first meeting with tribes was held
6 February the 12th, 2002, in Victoria. In addition,
7 because of the public interest in this project, a
8 public outreach program was initiated in January of
9 this year to provide information and solicit
10 comments from the public. This meeting tonight is
11 part of our outreach effort.

12 We will be meeting in the near future
13 with the Society for American Archaeology, the Texas
14 Archaeological Society and the Council of Texas
15 Archaeologists whom we have asked to consult with us
16 on this project. We will look to these
17 organizations to work with us to address technical
18 issues pertaining to the site.

19 In conclusion, the Corps is committed
20 to producing a technical report of findings for this
21 project and will pay for accessioning of the
22 collection into an approved facility at the
23 discretion of DuPont.

24 We are aware of the significance of
25 the site. The Doran report on the bioarchaeological

1 context of the site was prepared at the request of
2 Galveston District and establishes the scientific
3 value of the collection.

4 Since October we have pursued a
5 detailed inventory of non-mortuary artifacts from
6 the site. The geoarchaeological and pollen analyses
7 of the site are continuing, and background portions
8 of the technical report are under preparation.

9 All interested parties will be heard.
10 At the conclusion of consultation and public
11 outreach, the Corps will weigh the concerns and
12 recommendations of the SHPO, DuPont, Native
13 Americans, scientists and the public in determining
14 the nature and extent of further analysis to the
15 VT98 collection and human remains. The decision on
16 the level and extent of analysis and reporting rests
17 with the Corps.

18 At this time, I would like to
19 recognize Dr. Jim Bruseth, Deputy State Historic
20 Preservation Officer who wishes to make a
21 presentation.

22 DR. BRUSETH: Thank you. Let's see.
23 We will get this set up and -- there we go.

24 Colonel Waterworth and the Corps, I
25 appreciate the opportunity to be here tonight to

1 speak and say a few words about the Buckeye Knoll
2 Site, a site of immense importance.

3 I am with the Texas Historical
4 Commission, part of the State government, and we are
5 the State agency for historic preservation looking
6 out for the interests of Texas in issues such as
7 this site that has such great historical potential,
8 archaeological potential.

9 But what I want to do tonight is talk
10 about the Buckeye Knoll Site and give you the
11 perspective of the Texas Historical Commission. And
12 I'm going to first start off talking a little bit
13 about the site. Dr. Ricklis has done a very good
14 job of giving us an overview of the site.

15 I'm going to talk briefly about some
16 of that, talk about a little bit bigger perspective
17 of the importance of the site and then I want to
18 talk about the role of my agency, the Texas
19 Historical Commission, and our position on this
20 particular project.

21 I should say that the issue before us
22 is whether or not -- it is how much, if any,
23 analysis should take place on the collections that
24 we currently have. The Corps of Engineers has made
25 the statement that no decisions have been made.

1 It's the position of my agency, the
2 Texas Historical Commission, that a full analysis
3 needs to take place because there's so much we can
4 learn from the collection.

5 Buckeye Knoll Site is the site of
6 immense importance. There's no doubt about that.
7 We learned some of that tonight from Dr. Ricklis.

8 The excavations that took place out
9 there were over a period of several months.
10 Considerable sums of public funding went into this
11 project. The project was done under federal law and
12 regulations. And as a result, we all have an
13 opportunity and a requirement, if we so choose to
14 exercise it, to offer our opinions of what should
15 happen to the site.

16 The excavations were very carefully
17 excavated and a lot of great information was
18 obtained. There's Buckeye Knoll down here in Texas.
19 The other sites that Dr. Ricklis compared the site
20 to are the Carrier Mills where somewhere between 160
21 and 170 burials were excavated and then the Windover
22 site down in Florida where a cemetery was found in a
23 peat bog setting.

24 All three sites are very, very
25 important and it shows the Buckeye Knoll's

1 importance in terms of archaeological issues
2 content-wise in the United States. And I'll go
3 through these fairly quickly.

4 But what can we learn about the
5 excavations and the analysis -- the full analysis of
6 the artifacts of Buckeye Knoll, Dr. Ricklis has
7 talked about these and I'll go through them just
8 briefly here with chronology.

9 We have a very few number of
10 radiocarbon dates, four radiocarbon dates for the
11 actual skeletal remains. There are indications that
12 they date much earlier.

13 The site itself represents the full
14 span -- nearly the full span of human history in
15 South Texas. A very important site that needs to be
16 fully analyzed, fully reported upon and the
17 artifacts, the non-mortuary materials should be, I
18 think, made available for display in the museum --
19 here in the new museum here at the college.

20 We can learn about the culture, diet
21 and the fitness of these people from the direct
22 study of the skeletal remains.

23 We can learn about the overall
24 population growth over time with the full analysis
25 of the remains. Again, this is an unknown early

1 culture that we didn't know existed until the
2 excavations uncovered the remains and the artifacts
3 of these people.

4 We can learn about the social and
5 ideological views of these people from the mortuary
6 patterns, from the materials they placed in the
7 graves, from other artifacts that have been
8 excavated at the site, group movements and trade.

9 Dr. Ricklis talked about mobility.
10 These people seem to have been less mobile or a
11 little bit more settled than has been the
12 expectation in North American archaeology for this
13 time period. And with looking at the different
14 artifacts, we can learn a lot about trade.

15 Many of these objects that were buried
16 with these people were made out of exotic materials
17 that came from other places. And we can source
18 those artifacts and figure out where they have come
19 from.

20 We can also look at hunting and
21 fishing and their economic patterns; how did these
22 people make a living. All very important
23 archaeological issues and questions that need to be
24 addressed to the full analysis of the site.

25 But there's more. Dr. Ricklis talked

1 about that out of all the human remains that have
2 been found, the human skeletons that have been found
3 worldwide from this time period or earlier, Buckeye
4 Knoll represents an astounding eight percent. That
5 is truly incredible to see that kind of a sample
6 from this location in Texas.

7 And with that sample of human remains,
8 you have the ability to begin addressing some other
9 kinds of issues that are big, broad issues that
10 relate to kind of wide archaeological problems
11 involving in some cases the peopling of North
12 America.

13 The current ideas and theories of how
14 people got into the North American continent are
15 changing fairly dramatically. We're beginning to
16 see that it is a more complex picture of people
17 coming into the North American continent, rather
18 than just simply the Bering Strait land bridge
19 coming across North America.

20 Some people are beginning to suggest
21 there are other avenues, such as perhaps people
22 coming in from Europe into the North American
23 continent.

24 Some of the evidence that some people
25 are using is some of the very earliest skeletal

1 remains. When you look at them -- and this is the
2 facial reconstruction of the Paleo-Indian man from
3 the Kennewick Site -- they have somewhat
4 European-looking characteristics to them.

5 The whole issue about how people got
6 into the North American continent, how they moved
7 around is -- is a very hotly debated topic area of
8 American Archaeology.

9 The sample for Buckeye Knoll may well
10 have a chance to answer or at least address some of
11 those questions. We need to do the full analysis to
12 see what kinds of information the site contains to
13 help look at some of the broader questions.

14 Okay. What I want to do now is talk
15 about what is the Texas Historical Commission's
16 role. And as I go through this, my talk is going to
17 get a little bit drier because I'm going to talk
18 about some of the facts of the case, some of the
19 legal positions in the case. But it's important to
20 get this information out to you.

21 The Texas Historical Commission
22 functions as what's called SHPO. That's the State
23 Historic Preservation Officer. That's how we're
24 involved in this. It is created by a federal law,
25 the National Historic Preservation Act, that

1 basically says, every state, you will have a State
2 Historic Preservation Officer who gives the views of
3 the state in issues involving the federal government
4 in that state.

5 So, our role is to provide our views
6 to the Corps of Engineers involving in this case the
7 Buckeye Knoll Site.

8 In our state Larry Oaks is the State
9 Historical Preservation Officer, and I'm the Deputy
10 State Historic Preservation officer.

11 The National Historic Preservation Act
12 is the law -- the federal law that is governing
13 this. It's not -- some people seem to think that a
14 law called NAGPRA, Native American Graves Protection
15 and Repatriation Act, is the one that's playing
16 here. It is not. That law is off the table. It is
17 the National Historic Preservation Act of 1966.
18 It's a federal law.

19 A specific section of it called
20 Section 106 requires federal agencies, such as the
21 Corps of Engineers, to consider and -- and try to
22 protect or otherwise investigate important
23 archaeological and historical sites and buildings
24 that they're going to affect by their projects.

25 Our project is the Victoria Barge

1 Canal, the widening of it. Section 106 comes into
2 play. The federal government has developed
3 regulations that spell out exactly how they, the
4 State Historic Preservation Office, and others, will
5 work to try and protect and consider the effects of
6 important historical archaeological sites in federal
7 projects. Those regulations are 36CFR800. Those
8 spell out the steps. Basically, this overall thing
9 is a consultation/negotiation process.

10 Now, I want to talk about specifically
11 what is our position of the Texas Historical
12 Commission in this case. Archaeological work at
13 Buckeye Knoll is data recovery, not evaluation.
14 Critical distinction. I don't have the time to go
15 into for everyone the background of this, but
16 basically this was data recovery that was taking
17 place out at the site.

18 The site itself had been declared
19 eligible for the National Register back in 1997.
20 And we have this document right here in the upper
21 right. If you read this part of it, this is a Corps
22 of Engineer document sent to us in year 2000 that
23 says in summary, "Site 41VT98 has been determined
24 eligible for the National Register of historic
25 places."

1 Again, that designation took place in
2 1997 through letter exchange between the Corps of
3 Engineers and the Texas Historical Commission. So
4 we're beyond testing. We're beyond evaluation.
5 That work was done prior to 1997. It encountered a
6 few human remains at the site. The recent work was
7 doing the recovery work out there.

8 Under Section 106 the decision on
9 analysis -- and we heard that tonight -- is the
10 Corps's decision and not DuPont's. I've heard it
11 said before that the ultimate decision after the
12 Corps makes a decision is with DuPont. The federal
13 regulations we're working under, Section 106
14 regulations, says it's the Corps of Engineers. They
15 do not mention private landowners.

16 The private landowners of sites such
17 as this get to determine what's going to happen to
18 the artifacts but the regulations are very clear
19 it's the federal agency that makes the final
20 decision on whether or not -- the level of analysis
21 that takes place. And it's our position that the
22 decision has already been made for full analysis.

23 And I'm going to explain how we take
24 that position. This is a document -- a legal
25 document under that Section 106 process when we are

1 negotiating. And when we come to agreement between
2 us and the Corps, we outline our agreement in a
3 document that's called a programmatic agreement that
4 basically says we agree here is what's going to
5 happen to archaeological sites that are encountered
6 in the Victoria Barge Canal. You can see right here
7 the programmatic agreement between the Corps of
8 Engineers, the State Historical Preservation
9 Society, the Advisory Council of Historic
10 Preservations and another federal agency that
11 oversees the process concerning the Channel to
12 Victoria Project. That's the document that
13 completed the Section 106 consultation back in 1990
14 and basically outlined here is what's going to
15 happen on that barge canal when archaeological sites
16 are encountered; here is how the Corps of Engineers
17 is going to deal with them.

18 We have another document here that was
19 submitted to us in December of 2000 that basically
20 says -- the Corps of Engineers says that they were
21 going to -- what they thought impacted the Buckeye
22 Knoll site, and they submitted to us an
23 archaeological data recovery plan for site 41VT98.

24 So, clearly, the Corps of Engineers
25 paper work shows that we are beyond the evaluation

1 phase; it's clearly into data recovery, which is a
2 part of these projects where they go in and do
3 large-scale excavations, recover as much information
4 as you can find.

5 We have another document here which is
6 the data recovery plan. According to that
7 programmatic agreement, that basic document for the
8 barge canal, it says that when the Corps of
9 Engineers is going to impact the site, they need to
10 go to the State Historic Preservation Officer and
11 present this to them, a plan of what they want to do
12 with that archaeological site. This is Page 12 of
13 it. And basically that plan said we're going to do
14 full analysis of all the materials including, it
15 says here, all human bone elements will be examined
16 by a qualified archaeologist and small quantities
17 will be subject to isotope analysis as well as
18 radiocarbon date. And it's the position of the
19 Texas Historical Commission this is the document
20 that is governing legally. We believe this is the
21 governing document that the decision on analysis has
22 been made for this particular site.

23 There is further guidance that's
24 referenced in that programmatic agreement that
25 pertains to the issue of the human remains and how

1 they deal with them. It's important that I point
2 this out because my agency feels this is very, very
3 important that we see full analysis of the
4 incredible artifacts that come from this site.

5 At the same time, we are very
6 sensitive to the concerns of Native Americans who
7 see their ancestors having been excavated and are
8 now sitting in boxes in a laboratory. We are
9 concerned about that, too. We feel like all those
10 remains need to be reinterred at some point in time.
11 We want that period of time for analysis to be as
12 short as possible and that they go back into the
13 ground at a suitable time to be reburied.

14 This guidance here from the federal
15 government helps us determine how we handle these
16 kinds of human remains. And the part of it here
17 says that scientific studies -- where scientific
18 study is done, the need for study does not outweigh
19 the need to respect the concerns of such
20 descendants. The re-burial should occur without
21 prior study.

22 The second part of this is, we feel --
23 and this is the federal government's counsel how we
24 handle this -- the scientific research involving
25 human remains and graves outweighs any objections

1 the descendants may have to decide they should not
2 be reburied but should be curated in perpetuity for
3 study.

4 That's the federal government telling
5 us what they recommend on these kinds of cases. We
6 don't believe human remains, associated artifacts
7 should not be reburied. We think they should be
8 reburied but we certainly agree with the federal
9 government's guidance here, that they should be
10 studied.

11 I think it's absolutely clear that we
12 made the case for Buckeye Knoll that it's of immense
13 scientific importance here and that the scientific
14 research value of it dictates, the second half of
15 this paragraph, that there should be full analysis
16 that takes place with these artifacts so the story
17 of an ancient culture that no longer exists, that
18 these stories be told to all people living today.
19 Thank you.

20 COLONEL WATERWORTH: At this point I
21 would like to invite elected officials to speak.

22 Judge Walker, I believe you're the
23 only elected official that's chosen to speak.

24 JUDGE WALKER: Thank you. Thank you
25 very much, Colonel Waterworth, and -- and thank you

1 all for the presentations this evening. I think I
2 speak on behalf of the large majority of the people
3 in the audience in that we feel that this is such a
4 vital, vital find, that scientific study must take
5 place. It could impact not only our part of the
6 world and Texas history but the history of the
7 entire world.

8 We urge that the human remains be
9 treated with utmost respect and ultimately returned
10 to a dignified burial; but that the scientific study
11 of those remains and the artifacts be done to the
12 satisfaction of the scientific community so that the
13 history of these people who lived in our part of
14 Texas so many thousands of years ago may tell us
15 their secrets before they go to their final resting
16 place. Thank you.

17 COLONEL WATERWORTH: Are there any
18 other elected officials that would like to make
19 comments? I would like to now call on the general
20 public to make comments.

21 To assist each speaker, we're going to
22 keep track of time and give you three minutes. I
23 have a sign. If you could stand up, please. When
24 you get to 30 seconds out, the two and a half
25 minutes, we'll show you the sign. And we would ask

1 you to keep your comments down to three minutes.
2 That will give everybody a chance to get up and make
3 comments.

4 If we can finish those comments, then
5 we'll go to questions and answers. So at this point
6 we have a list of names and we'll call people
7 forward. I would ask you to move to the microphone
8 and make your comments in this presentation.

9 MS. MURPHY: Before you begin
10 speaking, would you please identify yourself by your
11 full name.

12 Annette Arkeketa. To save time,
13 Annette will go first but I'll call the second
14 speaker so that you can be ready. The next speaker
15 after Annette will be Margaret Howard.

16 MS. ANNETTE ARKEKETA: My name is
17 Annette Arkeketa Redon. I am Native American. I'm
18 not a science project. And I want you all to
19 understand that.

20 NAGPRA does apply in this situation.
21 That was told to you erroneously. There's still a
22 debate about that and we will seek to go on with
23 this.

24 These collections that you're
25 listening to, that they're talking about, these are

1 human beings that were placed in the grave much like
2 your own people, and they were not put there for you
3 to rob, for your entertainment, for your hobby, for
4 you to collect and to decide on.

5 You do not own Native American people.
6 We have not given you that right, and I'm here to
7 make sure you understand that. Thank you.

8 MS. MURPHY: After Margaret Howard
9 will be Kim Cox.

10 MS. MARGARET HOWARD: Hello. I'm
11 Margaret Howard. I'm the president of the Texas
12 archaeological Society. We have been invited to
13 become a consulting partner due to our 75-year
14 history of interest in the archaeology of Texas.
15 Could I have a brief show of hands of TAS members in
16 the room, please? I would encourage those of you
17 who have an opportunity to look into this group.

18 We are keenly interested in this site.
19 Many of our members have submitted letters and
20 e-mails on this issue. However, I must say that
21 there are some diversity of opinions among our
22 members. There are a few things on which we
23 basically agree.

24 The first of these is that the
25 resolution that the TAS board passed in January, a

1 year ago, we support respect for all human graves,
2 both marked and unmarked, on public or private land.
3 So, this would be one of our primary interests.

4 We are deeply concerned -- this is the
5 current board -- that the cemetery at VT98 may have
6 been excavated although it lay outside of the area
7 of impact. I think we've heard a couple of
8 different versions of how some communications may
9 have been misdirected and that was the result.

10 Now, be that as it may, one of the
11 basic tenets of the Texas Archaeological Society is
12 that if you dig something up, you must study it and
13 report it. This is what TAS is all about and has
14 been about ever since the beginning.

15 So, we believe that this basic
16 principle governs what we would recommend in this
17 case; that because these materials have been
18 removed, for whatever reason that may have happened,
19 that they must be fully studied according to federal
20 law and according to the Programmatic Agreement and
21 the Advisory Council on Historic Preservation's
22 Guidance on Human Remains. Thank you.

23 MS. MURPHY: Okay. After Kim Cox, we
24 have three individuals. I would repeat that you
25 cannot -- two now? Okay. Each one of you wants

1 three minutes?

2 UNIDENTIFIED SPEAKER: One statement.

3 MS. MURPHY: Oh, okay. Well, you guys
4 are next after Mr. Cox.

5 MR. KIM COX: My name is Kim Cox. I'm
6 an attorney from Corpus Christi. There was a
7 statement made that there have been no previous site
8 testing that had identified human remains. I
9 believe that that is an incorrect statement.

10 I think the Corps of Engineers knew
11 that there was potentially human remains at this
12 site prior to the time that the first shovel load of
13 dirt was ever taken out of it.

14 The second thing I would like to do
15 is -- I note that Bob Ricklis has been somewhat
16 gagged in his comments by the Corps of Engineers,
17 and I would like to thank people like Jim Bruseth,
18 Tom Hester and Margaret Howard for carrying the
19 torch so that they can speak about the importance of
20 the site when Dr. Ricklis could not. So thank you
21 guys very much.

22 MS. MURPHY: Allston Thoms will be
23 next.

24 Fellows, please give us your names.
25 Okay?

1 MR. DAVID LARA: I'm David Lara.

2 MR. JESSE MARTINEZ: I'm Jesse
3 Martinez.

4 MR. DAVID LARA: We feel that the
5 archaeology of Native Americans should be done
6 because we have the urge to learn about artifacts,
7 but we should let the archaeologists examine things.
8 But I think we should let the Indians decide what to
9 do with the bones because there still will be some
10 (inaudible) in the area (inaudible) but I don't know
11 where he is because I was brought up -- I know my
12 heritage and (inaudible) how they feel about things
13 like this.

14 MR. JESSE MARTINEZ: (Inaudible) I
15 should have the right to (inaudible and
16 incomprehensible).

17 That we should respect a human being
18 and not like an animal. I think you should leave
19 this alone and it would be better. Thank you.

20 MS. MURPHY: Thank you. After Allston
21 Thoms, Sister Elizabeth Riebschlaeger. Did I
22 pronounce that correctly?

23 MR. ALLSTON THOMS: My name is Allston
24 Thoms. I teach anthropology at Texas A&M
25 University. However, I'm here today as, in essence,

1 a messenger for the Society for American
2 Archaeology, and I'm going to read into the record a
3 statement that the President of the Society for
4 American Archaeology, Robert Kelley, has written to
5 Colonel Waterworth.

6 It says, "Dear Colonel Waterworth:
7 The Society for American Archaeology, SAA, very much
8 appreciates the opportunity to participate as a
9 consulting party in Section 106 consultations
10 concerning the Channel to Victoria Project."

11 "We understand that a meeting of the
12 consulting parties will be scheduled in March, and
13 we look forward to working with your staff and with
14 representatives of the other consulting parties.
15 Our representative at this meeting will be Lynn
16 Sebastian, SAA Government Affairs Committee Chair
17 and President-elect of the society."

18 "Dr. Sebastian is a former State
19 Historic Preservation Officer in New Mexico and is a
20 nationally recognized expert on Section 106
21 compliance. We hope that her experience and
22 expertise will be helpful to the parties in
23 resolving some of the difficult issues that have
24 arisen concerning this undertaking.

25 "Some of the items that SAA would like

1 to see discussed at the consulting party meetings
2 are several Section 106 compliance issues that are
3 still unclear to us. The Corps' plans for further
4 consultation with both federally-recognized Native
5 American tribes and other possible descendant
6 communities, cultural affiliation issues for human
7 remains and other materials at 41VT98, the
8 scientific significance of the site, and possible
9 solutions to the problems that arise from
10 conflicting values attributed to the site.

11 "We realize that the issues
12 surrounding this site and the materials that have
13 been removed from it are difficult and emotionally
14 charged and that the Corps is doing its best to deal
15 fairly and respectfully with all of the concerns of
16 consulting partners. Given the exceptional
17 scientific significance of the site, the Corps'
18 trust responsibilities to Native American tribes and
19 the agency stewardship responsibilities under the
20 National Historic Preservation Act, the decisions to
21 be made are complex ones.

22 "We thank you for allowing SAA to
23 participate and consult as a consulting party. And
24 we hope that our participation will be of material
25 assistance to you in resolving issues surrounding

1 this undertaking." Thank you.

2 MS. MURPHY: Okay. After Sister
3 Elizabeth Risbschlaeger will be Floyd Easterwood.

4 SISTER ELIZABETH RIEBSCHLAEGER: My
5 name is Elizabeth Riebschlaeger, and I'm speaking
6 simply as a teacher and a citizen.

7 I'm very happy to see so many people
8 interested in this from so many different
9 viewpoints. But I'm also very happy to see the
10 respect being shown to one another and the values
11 that all have evolved from their own viewpoints.

12 As an educator, I think it's extremely
13 important that the studies continue but also that
14 human remains be respected.

15 And I'm happy to see that the plans to
16 rebury them are being supported by so many
17 individuals and groups in this room. Thank you.

18 MS. MURPHY: After Floyd Easterwood
19 will be Glen Doran.

20 MR. FLOYD EASTERWOOD: Hi, I'm Floyd
21 Easterwood. I'm Vice President of the Lone Star
22 Archeological Society. And we think this is an
23 extremely important site to involve clearly
24 everyone's presence here tonight, so I won't waste
25 my time delving into that.

1 But since -- we all did originate in
2 the past at one time or another as hunters and
3 gatherers and we all have a strong heritage that we
4 can fall back on and relate to. And these remains
5 have already been dug. \$900,000 of tax money has
6 been already spent. The site should be fully
7 analyzed, the various goods and the burials, and can
8 be reinterred respectfully with full documentation
9 and analysis occurring. Thank you.

10 MS. MURPHY: After Glen Doran will be
11 Ruth Marie.

12 MR. GLEN DORAN: I'm Glen Doran from
13 Florida State University. For the last 30 years or
14 so I have been involved in archaeology in Texas,
15 California and Florida and a couple of other places
16 around the world.

17 If we look at the total inventory of
18 sites in North America, we probably know about
19 500,000 archaeological sites. In the last 30 years
20 I put together an inventory of about 400 sites that
21 contain human skeletal material and least 50 or so
22 individuals per site.

23 So, when you look at the broad
24 picture, Buckeye Knoll is really an incredible
25 opportunity for us to understand more about early

1 human biology. And that's really what we're doing
2 when we study human skeletal material. We're asking
3 questions about what were individual people's lives
4 like in the past. And there simply is no other way
5 to get that information.

6 One of the other things that you
7 should remember is by the study of human skeletal
8 material, it also provides us information that has
9 direct application in the modern day in terms of
10 diseases, accidents and fortunately it's also used
11 in forensic studies where we have to identify
12 skeletal material for modern crime. So there's a
13 large network of information we can get from
14 studying sites like this.

15 And it really is a once in a lifetime
16 chance so we should do a full analysis. And I don't
17 think anybody has any issue with doing re-burial at
18 the appropriate time. Thank you.

19 MS. MURPHY: After -- after Ruth Marie
20 will be Tom Hester.

21 MS. RUTH MARIE: My name is Ruth
22 Marie, and I'm getting into archaeology late in my
23 life. And it was a great thing to follow up with
24 Dr. Doran because I wanted to quote a little bit
25 from his report here.

1 One of the things that I have learned
2 is what a tremendous source bones tell us. And I
3 think what they said in the report, that human
4 skeletal material and the information it provides,
5 has long been recognized as one of the most
6 important components of the archaeological record.
7 It's all true.

8 The second thing that I would like to
9 quote from the report is that it is important to do
10 an analysis rigorously and with thorough
11 investigation and to simply do a simple measurement
12 of the bones is inadequate. And anything more than
13 that should really look forward to what these bones
14 have to tell us. When I think about these bones,
15 I'm thinking about the people whose bones they are.

16 Because I see my ancestors as saying,
17 "You don't know my history. How are you going to
18 find out about me if you don't analyze my bones?"

19 The last thing here about this is,
20 statistically speaking, is that these will give us a
21 good, broad background in the number of individuals,
22 749, that are here. One of the things I learned in
23 my thesis work was that with statistics, single
24 numbers don't count. What counts is when you got a
25 group of them. And that's one of the important

1 things also about this study from a scientific
2 viewpoint, is that it gives us a good statistical
3 background. Thank you.

4 MS. MURPHY: After Tom Hester will be
5 Jamie Warren.

6 MR. TOM HESTER: I'm Tom Hester, an
7 archaeologist in Texas. I am speaking as the
8 Chairman of the South Texas Archaeological
9 Association headquartered in San Antonio. Those of
10 you who are members here, would you raise your
11 hands? Thank you.

12 It is the second largest professional
13 and avocational organization in the state formed 29
14 years ago. It has many members here in the coastal
15 plains especially in Victoria County such as E. A.
16 Smedlin and Bill Birmingham, who have done legendary
17 work for Texas archaeology.

18 The STAA has sent a letter to Colonel
19 Waterworth dated sometime ago. I never received a
20 comment. We requested consulting party status.
21 That was denied us. It was given to the Society for
22 American Archaeology, which is totally professional,
23 to the Council of Texas Archaeologists which is all
24 professional and political and to the TAS, which we
25 were very glad to see.

1 I -- the STAA supports full analysis
2 of these materials, full artifact analysis, full
3 skeletal analysis.

4 I would further add that the letter
5 read by Professor Thoms from the SAA misrepresents
6 the SAA position. The president of the SAA who I
7 have known for many years wrote to Colonel
8 Waterworth on January the 7th, and he stated if the
9 Corps now allows that recovered materials be buried
10 without analysis, the agency will have failed to
11 meet the terms of the legally-binding agreement that
12 was signed in compliance with Section 106. Even
13 worse, the Corps will have actually caused far more
14 adverse effects to the site than would have been
15 caused by the undertaking whose effects the Corps
16 originally set out to mitigate. Thank you.

17 MS. MURPHY: After Jamie Warren is
18 Linda Wolff.

19 MS. JAMIE WARREN: Thank you for the
20 opportunity to address this assembly. I'm Jamie
21 Warren, president of the Junior Historians, Victoria
22 Crane Middle School. It is very hard to question
23 whether the site should be studied further or not
24 because the obvious answer is yes. I, along with my
25 fellow junior historians at Crane Middle School, see

1 the colossal amount of information that can be
2 gathered at an archaeological site. The possibility
3 of history being rewritten all the way back to the
4 time of early man is depending on your decision.

5 This information is both important and
6 critical to us today as well as generations to come.
7 I speak for a group of young people in Victoria that
8 appreciate the information that such an
9 archaeological dig has uncovered. There is
10 experience and hands-on knowledge through forging
11 ahead on this project and the excavation of the
12 site. Please elect to proceed with this very
13 important project. Thank you.

14 MS. MURPHY: After Linda Wolff is
15 Marie Brown.

16 MS. LINDA WOLFF: I'm Linda Wolff.
17 I'm Chairman of the Victoria County Historical
18 Commission. I am mandated by our County
19 Commissioners Court and County Judge Helen Walker
20 and by the Texas Historical Commission to protect
21 the historical resources of our county.

22 I urge that you do a full scientific
23 analysis of the remains at this site. They can be
24 returned for proper burial. I expect it to be done
25 with full respect; but I think that we can do

1 nothing better than a full scientific study.

2 I would like all those who are members
3 of the Victoria County Historical Commission that
4 are present to please raise your hands and those who
5 support full analysis again raise your hand. Thank
6 you.

7 MS. MAUREEN BROWN: Hello. My name is
8 Maureen Brown. A lot of archaeologists know me as
9 Mo. I am the director of the Museum of the Coastal
10 Bend at Victoria College, and it's a brand-new
11 regional history museum being developed right here
12 on campus.

13 We are very, very excited to have this
14 opportunity to share our history in the region, not
15 just Victoria, with the community. And I believe
16 that this would be very, very important if the
17 skeletal analysis and artifacts analysis and a
18 complete analysis were performed so that we could
19 tell this very important story for future
20 generations. Thank you.

21 MS. MURPHY: Okay. Those are all the
22 registered speakers we have. Is there anyone we
23 have missed or anyone who would like to speak?
24 Okay.

25 At this point in time we will start in

1 on the questions. If -- if the question was
2 answered in the presentations, I am not going to --
3 to include it.

4 We have some questions that are really
5 directed to DuPont and we will not be addressing
6 those as well.

7 We're holding the -- the questions
8 that pertain to technical aspects of the work. If
9 there's time, we will let our Coastal Environments
10 folks answer those. If we don't have time, we will
11 post answers on our Web site.

12 (The following questions were read and
13 answers were given by Ms. Carolyn Murphy.)

14 QUESTION: "Having adversely affected
15 one of the most significant sites in North America,
16 why is the Corps considering returning the artifacts
17 without conducting the analyses that would mitigate
18 this adverse effect and which they are obligated to
19 complete under their legally binding Programmatic
20 Agreement with the State of Texas?"

21 UNIDENTIFIED SPEAKER: That's the U.S.
22 Army.

23 MS. MURPHY: Answer: We are
24 conducting consultations and public outreach as is
25 required by federal regulation to obtain input from

1 all publics.

2 We are dealing with a number of
3 different interests and groups and we are obligated
4 to obtain their input before we make a final
5 decision.

6 QUESTION: "When the burials were
7 disturbed, was there a "stop work order" issued by
8 the Corps of Engineers?"

9 ANSWER: This one, I think, we're
10 going to have to post on the Web site. I know there
11 was notification of the SHPO. I do not believe we
12 stopped work but we will check on that.

13 QUESTION: "Why should deterioration
14 of these bones be prevented when the act of burial
15 shows a clear intent to become dust?"

16 ANSWER: As long as we are in
17 possession of the collection, we are obligated to
18 maintain it and to preserve it and to not allow it
19 to deteriorate.

20 QUESTION: "The scope of study states
21 that the Corps will submit all human bone elements
22 for full analysis. Why would the Corps commit to
23 this before Native American consultation?"

24 ANSWER: Well, I shouldn't have read
25 this one. We answered it.

1 We did not initiate a consultation
2 with Native Americans on VT98 before the work began
3 because to that point in time we had not identified
4 any tribes who had expressed an interest to consult.

5 We now do have tribes who have
6 expressed an interest to consult, and we have
7 initiated that consultation.

8 QUESTION: "What is the timetable for
9 Corps decision-making? How many more meetings will
10 there be with Native Americans and with the public
11 before deciding?"

12 ANSWER: You know we're going to have
13 as many meetings as we need to have to ensure that
14 everyone has had an opportunity to participate and
15 provide their comments.

16 I am sure that there will be several
17 more meetings with the consulting parties, including
18 the Native Americans and the SAA, TAS and CTA
19 groups. How many that will be and exactly when this
20 process will end, I can't tell you at this time.

21 COLONEL WATERWORTH: Let me address
22 that. As you've already heard this evening, I've
23 got to make a very tough decision. And I've got to
24 take into respect -- I've got to take all the data
25 that I can possibly collect that I feel comfortable

1 with that I can make a smart decision. That's why
2 we're here tonight, so I can hear you, so I can make
3 a smart decision.

4 The process will go on until I'm
5 sure that I've heard from all of those that are
6 interested in this project. Based on that
7 information, based on the legal requirement of the
8 process, based on the advice I get from the SHPO, I
9 will make a decision.

10 I'm not going to give you an
11 exact time line because I'm not sure all of the
12 information, all the consulting, when that's going
13 to be done.

14 But the bottom line is I've got
15 to be satisfied that I have the information to make
16 a good, informed decision.

17 I know a lot of you would like a
18 specific date. I'm not going to give that to you
19 until I've run the process.

20 MS. MURPHY: QUESTION: "Why have the
21 posters and Dr. Ricklis wholly ignored the Early
22 Archaic, Late Paleo-Indian cemetery?" Allow Dr.
23 Ricklis to describe it.

24 I think that's been done.

25 MR. HESTER: Referring to

1 illustrations of graves and the artifacts which the
2 artifacts, if they were illustrated, would provide
3 the audience an even greater element of importance
4 as well as the current ones.

5 MS. MURPHY: QUESTION: "When
6 specifically did the Corps contact Native American
7 groups and who specifically did they contact?"

8 ANSWER: Our initial contact was in
9 July of 2001. And the tribes that were contacted
10 are the Alabama Coushatta Tribe of Texas, the
11 Alabama Quassarte Tribal Town, the Chickasaw Nation,
12 the Coushatta Tribe of Louisiana, the Caddo Indian
13 Tribe, the Comanche Indian Tribe, Mescalero Apache
14 Tribe and Lipan, Tonkawa Indian Tribe, Wichita and
15 Affiliated tribes, Poarch Band of the Creek, and the
16 Kickapoo.

17 QUESTION: "Is the Corps considering
18 reburying human remains and the grave goods prior to
19 complete analysis and reporting? If so, why?"

20 ANSWER: At this point in time, as
21 Colonel Waterworth has said, no decision has been
22 made. We are hearing all points of view and this is
23 certainly one of them. So, at this point, we are
24 looking at all possibilities.

25 QUESTION: "Does the Corps consider

1 this meeting to comply with the Section 106
2 requirement for consultation with the public? Does
3 the Corps intend to hold any other public meetings
4 regarding this site?"

5 ANSWER: This certainly is in
6 compliance with the public outreach requirement of
7 Section 106. I don't know at this time if we're
8 going to have another large public meeting like this
9 one. I think this is an incredible turnout and I
10 think we have provided a terrific amount of
11 information for your consideration. I guess we'll
12 see in the next weeks or months if there's need for
13 another meeting like this.

14 QUESTION: "Where are the pictures of
15 the other artifacts that were found, Waco sinkers
16 and bannerstones?"

17 ANSWER: Well, we do have some
18 illustrations up on our Web site.

19 QUESTION: "Since data recovery
20 excavations have been completed at VT98, have all
21 adverse impacts been completely mitigated so that
22 future construction by the Corps may cause direct
23 impact to the site without incurring additional
24 archaeological investigations?"

25 ANSWER: There are no adverse effects

1 to the portion of the site that contains intact
2 remains, and we did not conduct mitigation.

3 We have -- there is nothing that we
4 can foresee -- the Corps can foresee that would
5 require further impact to the site, and we have no
6 plans at this time to do any further work at the
7 site or to impact it in any way.

8 I'll repeat. The portion of the site
9 that we did impact by channel widening did not
10 contain intact archaeological remains.

11 QUESTION: "Does the Corps concede
12 that while DuPont owns all of the materials
13 recovered from the site and has the ultimate
14 authority to decide their disposition, the Corps has
15 the responsibility for analysis report and
16 curation?"

17 ANSWER: As we have indicated, we
18 will make a decision. We are committed to producing
19 a technical report of findings. The nature and
20 extent of analysis is what is being -- is what is
21 under discussion, and we have certainly agreed to
22 pay for curation should that be DuPont's decision.

23 QUESTION: "Since the Buckeye Knoll
24 prehistoric burial site at DuPont is so significant
25 on a local and state, national and international

1 level, why were Native Americans, the broad
2 archaeological public, whose responsibility is in
3 protecting sites, and the general public not
4 informed during and just after the excavations of
5 the remains took place?"

6 ANSWER: We've already discussed why
7 there was not Native American consultation or
8 coordination.

9 At the time of excavation and
10 immediately following it, realizing the significance
11 of the site, I was very much concerned with the
12 knowledge that there are a number of additional
13 burials at the site. Site security was a critical
14 issue to both the Corps and DuPont, and we
15 deliberately did not pursue any publicity about the
16 site because of concerns for protecting it.

17 QUESTION: "If this site and the
18 remains are one of the oldest in North America, do
19 they, therefore, predate any possible tribal
20 identity relative to tribal groups as they exist
21 today?"

22 ANSWER: That is a possibility but as
23 the -- the point has been made, we are not pursuing
24 this site under NAGPRA. The coordination of the
25 site under NAGPRA, determination of affiliation is

1 critical. Under Section 106, there is not a
2 requirement to demonstrate affiliation, and any
3 tribe can consult.

4 QUESTION: "Why is the Corps of
5 Engineers not spending any money on analysis?"

6 ANSWER: We are conducting some
7 analysis that was discussed this evening and we are
8 working on the report. The issue, obviously, is
9 what are we going to do with the human remains? And
10 at this point in time there is no analysis being
11 conducted on the human remains.

12 QUESTION: "If the Texas Historical
13 Commission/SHPO cannot uphold compliance with
14 Section 106, who can ensure that the Corps will
15 follow through with contractual agreements, the
16 Programmatic Agreement and data recovery plan?"

17 ANSWER: Well, we feel that we are
18 complying with the law in what we're doing and as
19 most of you are probably aware, if in the end we
20 cannot reach concurrence with the SHPO, the -- the
21 matter will be referred to the Advisory Council.
22 And under the regulation there is a procedure for
23 review and elevation of the project.

24 QUESTION: "What are the plans for
25 these remains and why should DuPont determine the

1 fate of the collection?"

2 ANSWER: DuPont owns the land that the
3 site is located on. They are the steward of the
4 site and the collection that has resulted from it
5 and the disposition of that collection is ultimately
6 their decision.

7 QUESTION: "At the recent consultation
8 meeting, why did the Corps ask Native Americans if
9 they preferred no analysis when it already had
10 signed a Programmatic Agreement and the research
11 design developed under that agreement that called
12 for full analysis?"

13 ANSWER: In the meeting with the
14 tribes, we -- we presented all possible analyses
15 that could be appropriately pursued with that
16 collection and the range of possible solutions that
17 could result, so we did not, in effect, offer up no
18 analysis.

19 We looked at the entire range and the
20 entire kind of selection of analyses that could be
21 performed.

22 QUESTION: "If the public, including
23 Native Americans and archaeologists, were not
24 allowed to know and learn about VT98 because of site
25 security, then why weren't even Victoria officials

1 and persons who have a vested interest in protecting
2 the site informed early on? Was it not the Corps'
3 obligation under 36CFR800 to identify consulting
4 parties up front and not after the fact of
5 exploration?"

6 ANSWER: During excavation, the Corps
7 and DuPont were involved in ensuring the security of
8 the site and now since excavation has ceased, DuPont
9 is providing security for the site. I, quite
10 frankly, don't understand how other individuals
11 could accomplish that.

12 Consultation is initiated to resolve
13 issues and to provide additional information to the
14 decision-maker and the need for this did not arise
15 until the controversy surrounding this site resulted
16 in that need.

17 We don't typically consult with other
18 parties in our day-to-day operations and
19 coordination with the state. We generally only
20 consult with the SHPO.

21 QUESTION: "Why did the Corps only
22 give the general public one day's notice in the
23 Monday, February the 25th, Victoria Advocate article
24 of the public meeting when most people would not
25 know to check your Corps Web site on this matter and

1 since it's not only a Victoria issue?"

2 ANSWER: It was posted on our Web
3 site. It was published before the 25th in the local
4 newspaper. We attempted to spread word of this
5 meeting as best we could, and I think tonight's
6 turnout is a demonstration that an awful lot of
7 people got the message.

8 QUESTION: "If the Corps does not
9 comply with its obligations to conduct analyses on
10 all materials recovered from its easement with
11 DuPont under the terms of the 1990 agreement between
12 the Texas Historical Commission, the Galveston
13 District Corps and the Advisory Council, and with the
14 Corps's data recovery plan developed for VT98, which
15 was approved by the SHPO, would it not set a
16 precedent for all future archaeological permits and
17 future work on prehistoric and historic sites across
18 the State of Texas?

19 If the Corps can get away with not
20 complying in carrying out their obligations, then
21 will everyone else hereinafter? What does that say
22 about the future of historic and prehistoric
23 preservation of the already under-worked --
24 under-protected and valuable resources?"

25 ANSWER: I will submit to you that we

1 are not failing to comply with federal law and
2 regulations, that we are pursuing it.

3 We are pursuing the process of public
4 coordination under 36CFR800, and there is absolutely
5 nothing in what we have done and propose to do that
6 would not comply with federal law and regulations.
7 I cannot see that this in any way sets a precedent.
8 The precedent that we are following is compliance
9 with the laws.

10 QUESTION: "Since a large portion of
11 the site remains unexcavated and is known to contain
12 additional graves, what would it take to excavate
13 and analyze that portion of the site?"

14 ANSWER: As I've already mentioned,
15 the Corps has no need or intention to conduct any
16 further work at the site.

17 QUESTION: "I understand that the
18 National Historic Preservation Act didn't exist
19 before the canal was constructed but considering
20 that an avocational Archaeologist knew about the
21 site in the 1950s, why wasn't extensive work done on
22 VT98 then?"

23 ANSWER: I have no idea why the site
24 was not pursued in the '50s. I do know that when I
25 came to Galveston District and began working on the

1 Channel to Victoria project in the early 1980s, I
2 was the person who first recorded -- formally
3 recorded VT98. Although it had been known for a
4 number of years to local avocational archaeologists,
5 none of them had formally recorded the site and so
6 officially there was no record of it until I believe
7 1982.

8 QUESTION: "What was the first
9 indication that you had found an archaeological
10 site?"

11 ANSWER: There were lithic flint
12 flakes and artifacts eroding from the bank of the
13 channel. As we have indicated, the site was cut by
14 initial construction of the channel and the
15 eastern-most portion of the site was disturbed by
16 that initial channel construction.

17 QUESTION: "We all originated at some
18 point in our past as hunters, gatherers who worked
19 by necessity closely with nature. We all have
20 common experiences in our past, hunting, fishing and
21 the day-to-day use of ample material to make our
22 weapons, dress, ornamentation and interpretation of
23 the world around us. Should not these remains be
24 tested and analyzed to see who these people were and
25 how they lived? This is a moment of time

1 encapsulated and partially preserved and it's world
2 history, not just America.

3 Should we learn what we can from this
4 site and then the remains should be reinterred?"

5 ANSWER: As we have discussed, we have
6 identified all potential analyses that it makes
7 sense to conduct on this collection. We are
8 certainly aware of that by looking at it, and we are
9 doing public coordination now to reach our final
10 decision on what will be done.

11 QUESTION: "\$900,000 of our tax
12 dollars have been spent on this. Shouldn't we
13 follow through with this and not throw the tax money
14 away?"

15 ANSWER: As I have already stated, we
16 will produce a technical report of findings based on
17 the excavation of the site, so the report will --
18 the site will be recorded. I certainly don't see
19 all of the information that we have already gained
20 from the site as being lost or throwing away tax
21 money.

22 QUESTION: "Since no one can say with
23 surety just who these people were, whether Native
24 Americans or European, with the unusual artifacts
25 found, the site demands to be studied; don't you

1 think? This is not for us but for future
2 generations."

3 ANSWER: We certainly are looking at
4 all possibilities for the site.

5 MS. MURPHY: Dr. Ricklis is now going
6 to answer questions that are specifically about the
7 archaeology of the site.

8 DR. RICKLIS: (Reading)

9 QUESTION: "How do you know bifacial
10 blades are ceremonial? What is the National
11 Register eligibility" -- which is not a technical
12 question. "How has the Native American community
13 responded?"

14 ANSWER: Well, I think I'll just take
15 the first one. "How do you know the bifacial blades
16 are ceremonial?"

17 I don't. I'm just inferring it
18 because they're just too big and thin to have been
19 effectively used for common domestic tasks.

20 QUESTION: "Yesterday's Victoria
21 Advocate reported that Jimmy Bluhm of the Texas
22 Historical Commission stated that there is a
23 possibility that the human remains discovered on the
24 knoll are Europeans. Is there any evidence of this
25 so far discovered?"

1 ANSWER: The answer to that would be
2 no. We've done absolutely no analysis on the human
3 remains at this point so we cannot comment on that.

4 QUESTION: "What were the plant
5 resources that were important to the Archaic Native
6 Americans according to flotation data from the VT98
7 excavations?"

8 ANSWER: So far we have not done
9 a flotation analysis, so I can't answer that.
10 Although, we would infer that things, like I said in
11 the presentation, things like pecans and tubers,
12 roots, seeds of various types could have been
13 significant food resources.

14 QUESTION: "Were there any marine fish
15 bones found at the Buckeye Knoll site; and if there
16 were, did you find any otoliths that could be
17 dated?"

18 ANSWER: The first part of that
19 question, the answer is yes. There are marine fish
20 bones found in the midden deposits. There are also
21 freshwater fish bones found in the midden deposits.
22 We have not yet done an analysis on these materials,
23 however, preliminary inspection on-site indicates
24 this is the case.

25 QUESTION: "Did you find any otoliths

1 that could be dated?"

2 ANSWER: I'm not sure what the -- this
3 individual means by dated. If you're referring to
4 radiocarbon dating, fish otolith material would not
5 be our first choice because they contain both
6 mineral and organic components.

7 If you mean seasonality estimates,
8 then, yes, the answer is we do have marine fish
9 otoliths; we have Black Drum, Red Drum, Catfish and
10 all of these could be used as a cross-section for
11 seasonality studies. And I guess that's it.

12 COLONEL WATERWORTH: We have reviewed
13 the questions that have been submitted so far, and
14 we have answered the questions. We have a stack of
15 others that are redundant. The same questions were
16 asked over and over again. We're not -- so I didn't
17 go through the whole stack.

18 You can see the stack up here. We've
19 gone through and answered the questions one time.

20 Are there any other questions or any
21 cards that you would like to be passed forward at
22 this time? Okay.

23 My objective was to share information
24 tonight. Ask your question.

25 MS. MAUREEN BROWN: I understand

1 there's going to be a couple of hearings after this.

2 At what time, when and --

3 MS. MURPHY: When I addressed the
4 local officials after the tribal consultation
5 meeting and we discussed that possibility, we did
6 not think that Colonel Waterworth would be available
7 tonight, and this is the kind of meeting that we
8 were discussing; where, rather than just a workshop,
9 which was what was originally intended for this
10 meeting, we have now ended up providing the public
11 with an opportunity to speak. Whether or not we
12 have another formal public meeting, I don't know at
13 this time.

14 COLONEL WATERWORTH: I came this
15 evening to listen to what you had to say. It will
16 be taken into consideration as I make this judgment.

17 If you have comments, please submit
18 those to us here tonight or to our Galveston office,
19 and they will be taken into consideration.

20 I would like to thank everybody that
21 attended this evening. You shared a lot of good
22 ideas and a lot of things for us to take into
23 consideration.

24 I would like the record to show that
25 the hearing is adjourned at 9:00 o'clock p.m. on the

1 26th of February, 2002. Thank you very much for
2 attending.

3 (At this time the hearing is concluded.)
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THE STATE OF TEXAS :
COUNTY OF HARRIS :

I, Shirlee (Sasi) Romney, a Certified Shorthand Reporter in and for the State of Texas, do hereby certify that this hearing transcript is a true record of the proceedings to the best of my ability to hear and decipher the testimony.

Certified to on this, the 18th day of March, 2002.

Shirlee (Sasi) Romney, CSR
Certification No. 975
Expiration Date: 12-31-03

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